

4349. Misbranding of "Dr. Haynes' Arabian Balsam." U. S. v. Lavinia A. Marsh (E. Morgan & Sons). Plea of nolo contendere. Fine, \$20.
(F. & D. No. 5843. I. S. No. 1410-e.)

On June 22, 1915, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lavinia A. Marsh, trading under the firm name of E. Morgan & Sons, Providence, R. I., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about April 1, 1913, from the State of Rhode Island into the State of Massachusetts, of a quantity of "Dr. Haynes' Arabian Balsam" which was misbranded. The article was labeled: (On bottle) "Dr. Haynes Arabian Balsam. The most perfect remedy ever known for Burns, Poisoning, Erysipelas, Rheumatism, Pains, and wounds of all kinds, Swellings, Piles, Corns, Chilblains, Stiff Neck, or Joints, White Swellings, Loss of Motion in Limbs, and internally for Croup, Hoarseness, Bronchitis, Dysentery, Stoppages and Inflammation of the Bowels. As this medicine has been thoroughly tested in the family, no home should be without it. We would suggest to those who purchase that it will be most economical to procure the large bottle, as it contains six times the quantity of the small one, while only four times as much is charged. As the Balsam will keep without receiving injury, no one need fear to buy a large size. None Genuine without the likeness of the Inventor, A. Haynes, M. D. This excellent compound is achieving the most signal triumphs, astonishing many who have occasion to use it by the certainty with which it relieves them of their sufferings. It is believed it has no superior, as a remedy for that class of diseases for which it is prescribed. Those who have tested its efficacy, and best know its great healing virtues, use it in preference to any other medicine, and commend it to their friends. The most excruciating pain is almost instantly relieved by its application, and swellings are readily reduced. Reader, if you have any occasion to use medicine, give it a trial, and prove its efficacy. Directions for Family Use: For Coughs, Colds, Sore Throat, Hoarseness, or Bronchitis, give half a teaspoonful from three to six times a day, in sugar. For Croup, it may be given as often as once in fifteen or twenty minutes, until relieved. Dose, half a teaspoonful or more according to the severity of the case. Bathe the outside of the Throat, after it has been relieved; Use the Balsam occasionally until relief is complete. Do not be afraid to use it. It has relieved hundreds of cases when other means have failed. Whooping Cough give half a teaspoonful once in two to six hours. For Asthma, take a teaspoonful several times a day. For all external complaints, rub the surface freely with the balsam until relieved. For Cuts, Wounds, and Bruises, use the Balsam freely. For Burns or scalds, apply the Balsam as soon as possible; if the skin is off, cover the burned part with fine linen, wet with the Balsam. For Erysipelas and Poisoning, wet the surface with the Balsam as often as it is dry. For Canker in the Mouth, hold some of the Balsam in the mouth several minutes, several times a day, until relieved. For inflammation of the Eye, bathe the outside of the Eyelid, and let some work into the Eye. For Piles, apply externally, and if necessary, use a syringe. For deep-seated pains, bathe thoroughly from four to six times a day; if much inflamed, put on a poultice of pulverized slippery elm, covered with Balsam. Corns—pare them nearly to the quick, and cover them with buckskin saturated with Balsam; to be renewed two or three times a day. Deafness—drop some into the ear. Dysentery or Cholera Morbus—give a teaspoonful once in thirty minutes to one hour; in very severe cases, give a tablespoonful, more or less, according to age. For Diphtheria take one

teaspoonful internally, then warm the Balsam and apply it to the throat freely; take a fine cloth, saturated with the Balsam, heated hot, and apply it to the throat; wet the cloth as often as once in forty minutes; at the same time take a teaspoonful internally. Continue the above directions until permanently relieved. Directions for Animals—For Scratches, Skin Diseases, Bruises, Cuts, Old Sores, Wounds of every description, wash with Castile Soap and Warm Water until perfectly cleansed, and wipe dry before applying the Balsam. When the part affected is exposed to mud or water, sift into it pulverized (maple) charcoal after applying the remedy. For Cracked Heels, Frosted feet, Hoof Rot, Stiff Joints, Sweney Shoulders, Strained Cords and Sprains, use in the same manner as the above except in severe cases; then apply the Balsam warm, taking the necessary precaution not to blister, unless blistering is required. For Colic or Stoppage, give four ounces once in thirty minutes; in severe cases the dose may be increased. For Corns, take the horse to a good blacksmith, order him to pare the corn a little more than he is wont to do. Fill the cavity with the Balsam, and heat it with a hot iron. For Cracked or Shelly feet, apply the Balsam freely. For Quinsy give two ounces, three times a day on the feed, make a poultice of common English Turnip moistened with the Balsam and applied to the throat while it is warm. For Coughs, use in the manner as for Quinsy, omitting the poultice. Serial No. 601. Guaranteed by E. Morgan & Sons, under the Food and Drugs Act, June 30, 1906. Prepared by E. Morgan & Sons, Sole Proprietors, (Successors to J. Miller & Sons) Providence, R. I., U. S. A. Price \$1.00. Entered according to Act of Congress, in the year 1859, by A. Haynes, M. D., in the Clerk's Office of the District Court of the District of Massachusetts." (On carton) "Dr. Haynes' Arabian Balsam. None Genuine without the likeness of the inventor, A. Haynes, M. D. Prepared by E. Morgan & Sons Sole Proprietors Successors to J. Miller & Sons, Providence, R. I., U. S. A. Price, \$1.00. Entered According to act of Congress, in the year 1859, by A. Haynes, M. D., in the Clerk's Office of the District Court of the District of Massachusetts." (On sides of carton) "Directions: For Burns, Etc., Bathe with the Balsam as soon as possible. For Deep-Seated Pain Bathe thoroughly from three to five times a day. For Internal Soreness or Pains.—Give from half a teaspoonful to a teaspoonful from three to five times a day. For Croup.—It may be given as often as once in ten or fifteen minutes, and applied outside. See directions on circular. Serial No. 601. Guaranteed by E. Morgan & Sons under the Food and Drugs Act June 30, 1906. The most perfect remedy ever known for Burns, Poisoning, Erysipelas, Rheumatism, Pains and Wounds of all Kinds, Swellings, Piles, Corns, Chilblains, Stiff Neck or Joints, White Swellings, Loss of Motion in Limbs, and Internally for Croup, Hoarseness, Bronchitis, Dysentery, Stoppages, and Inflammation of the Bowels." (Additional statements in foreign languages.) The circular and pamphlet accompanying the article included, among other things, the following statements: (On wrapper) "Dr. Haynes Arabian Balsam. To the Public Beware of Counterfeits. None Genuine without the Likeness of the Inventor A. Haynes, M. D. on the label. Serial No. 601. Guaranteed under the Food and Drugs Act June 30, 1906. One of the best medicines ever invented by man for giving perfect and immediate relief in cases of Pain and Inflammation both externally and internally, and safe and certain in its action. For Burns, Poisoning, Erysipelas, Inflammation of the Eyes, Earache, or Deafness, Rheumatism, Pains in the Side, Back, or Shoulders, Ague in the Face or Breast, Wounds of any kind, Chafing, Piles, Chilblains, Corns, Chapped Hands, Stiff Neck, or Joints, Loss of Motion in the Limbs, Sore Lips or Throat, Hoarseness, Croup, Bronchitis, and Hiccoughs, Dysentery, Cholera Morbus, and Inflammation of the Bowels. Full directions on label. P. S.—

Animals often suffer much from want of proper attention when sick. The finest Horse and Cattle are sometimes rendered useless and die simply because those who have the care of them don't know what to do for their relief. In such cases a proper application of this 'Great Remedy' would prevent much suffering and often save life. No stable either public or private should be without it. Price, \$1.00 Sold by Druggists, Merchants and Dealers in Medicines Everywhere. Ask for Dr. Haynes' Arabian Balsam and take no other. Prepared by E. Morgan & Sons, Sole Proprietors, (Successors to J. Miller & Sons). Providence, R. I., U. S. A. Entered according to Act of Congress, in the year 1859 by A. Haynes, M. D. in the Clerk's Office of the District Court of the District of Massachusetts." (On circular) "Its effects are no less remarkable in cases of Erysipelas, Rheumatism, Pains in the Back, Neck, or Shoulders, Ague in the Face or Breast, Spinal Affections, White Swellings, loss of motion in Limbs or loss of sight by palsied Nerves, Internal or External Poisoning, Bites or Stings of Snakes or Reptiles, Inflamed Eyes, Earache, Chilblains, Chafing, Chapped Hands or Lips, Corns, Piles, &c."

Analysis of a sample of the article by the Bureau of Chemistry of this de-Hands or Lips, Corns, Piles, &c."

Volatile oils (per cent by volume)-----	12.5
Cottonseed oil (grams per 100 cc)-----	77.52
Turpentine-----	Present
Oil of cumin-----	Present

This appears to be a mixture of cottonseed oil, turpentine, and oil of cumin.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the labels aforesaid, to wit, (On bottle) "The most perfect remedy ever known for * * * Erysipelas, Rheumatism, *** Piles, *** White Swellings, Loss of Motion in Limbs, and *** for Croup *** Directions *** Deafness—drop some into the ear *** For Diphtheria take one teaspoonful internally *** Continue the above directions until permanently relieved." (On carton) "The most perfect remedy ever known for *** Erysipelas, Rheumatism, *** Piles, *** White Swellings, Loss of Motion in Limb, and *** for Croup ***," and included in the circular or pamphlet aforesaid, to wit, (On circular) "Its effects are no less remarkable in cases of *** loss of sight by Palsied Nerves ***," were false and fraudulent, in that the same were applied to said article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as the most perfect remedy ever known for erysipelas, rheumatism, piles, white swellings, loss of motion in limbs, and for croup, deafness, and diphtheria, and as a remedy for loss of sight by palsied nerves, whereas, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On January 28, 1916, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$20.

CARL VROOMAN, *Acting Secretary of Agriculture.*